

FORM PTO-1390
(REV 2-2005)
OMB-0651-0021

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.
71247-0059

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

DATE: **March 30, 2007**

U.S. APPLN. NO.
(IF KNOWN, SEE 37 C.F.R. 1.5)
10/581,052

INTERNATIONAL APPLICATION NO.
PCT/FR2004/003039

INTERNATIONAL FILING DATE
November 26, 2004

PRIORITY DATE CLAIMED
November 28, 2003

TITLE OF INVENTION: **NOVEL HYBRID PROBES WITH HEIGHTENED LUMINESCENCE (AS AMENDED)**

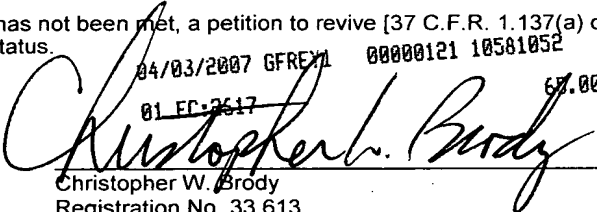
APPLICANT(S) FOR DO/EO/US: **Francis VOCANSON, Roger LAMARTINE, Pierre-Jean DEBOUTTIERE, Christophe MARQUETTE, Loic BLUM, Stephane ROUX, Olivier TILLEMENT and Pascal PERRIAT**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED)
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS WITH COPY OF NOTICE AND ATTACHMENTS**

U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) 10/581,052		INTERNATIONAL APPLICATION NO. PCT/FR2004/003039		ATTORNEY DOCKET NO. 71247-0059 DATE: March 30, 2007	
<input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
<input type="checkbox"/> 21.) Basic National Fee \$300				\$	
<input type="checkbox"/> 22.) Examination Fee - If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200				\$	
<input type="checkbox"/> 23.) Search Fee - If Search Fee (37 CFR 1.445(a)(2) has been paid in the International Application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office. \$400 All other situations \$500				\$	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100	/50=		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(h)].				\$ 130	
Claims	Number Filed	Number Extra	Rate		
Total Claims	- 20 =		X \$50.00	\$	
Independent Claims	- 3 =		X \$200.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 130	
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½				\$ 65	
SUBTOTAL =				\$ 65	
Processing fee of \$130.00 for furnishing the English translation later the 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)].				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 65	
				Amount to be refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$65.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge Counsel's Deposit Account No. 50-1088 in the amount of \$_____ to cover the above fee. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Counsel's Deposit Account No. 50-1088. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: CLARK & BRODY 1090 Vermont Avenue, N.W. Suite 250 Washington, D.C. 20005 Telephone: 202-835-1111 Fax: 202-835-1755 Customer Number: 22902					
				04/03/2007 GFREY1 00000121 10581052 01 EC:2617  Christopher W. Brody Registration No. 33,613 Date: March 30, 2007	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In the DO/EO/US

In re the Application of:

Francis VOCANSON

Art Unit: not yet assigned

Application No.: 10/581,052

Examiner: not yet assigned

Filed: 05/30/2006

Attorney Dkt. No.: 71247-0059

For: NOVEL HYBRID PROBES WITH HEIGHTENED LUMINESCENCE (as amended)

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 30, 2007

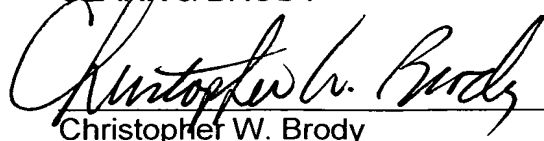
SIR:

In response to the Notification of Missing Requirements dated February 2, 2007 (copy enclosed), submitted herewith is an executed Declaration and Power of Attorney.

The Notice also indicates that an additional \$50 is required for extra claim fees. The extra claims fee in the amount of \$50 was included with the National Filing Fees as paid with the initial filing of the application. Attached is a copy of the Transmittal Letter, a copy of the PTO date-stamped and returned postcards and the undersigned's check stub, all of which indicate the appropriate fees.

A check in the amount of \$65.00 is attached for the late filing surcharge, however, please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,
CLARK & BRODY


Christopher W. Brody
Registration No. 33,613

Customer No. 22902
1090 Vermont Avenue, NW, Suite 250
Washington, DC 20005
Telephone: 202-835-1111
Facsimile: 202-835-1755



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

CWB
71247-0059
DOCKETED
Missing Parts
Due: April 2, 2007
Final: Sep 2, 2007

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/581,052	Francis Vocanson	71247-0059

INTERNATIONAL APPLICATION NO.

PCT/FR04/03039

I.A. FILING DATE	PRIORITY DATE
11/26/2004	11/28/2003

22902
CLARK & BRODY
1090 VERMONT AVENUE, NW
SUITE 250
WASHINGTON, DC 20005

CONFIRMATION NO. 7108

371 FORMALITIES LETTER



OC000000022285863

Date Mailed: 02/02/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/30/2006
- Preliminary Amendments filed on 05/30/2006
- Oath or Declaration filed on 05/30/2006
- Small Entity Statement filed on 05/30/2006
- Request for Immediate Examination filed on 05/30/2006
- U.S. Basic National Fees filed on 05/30/2006
- Priority Documents filed on 05/30/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$50 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$115** for a Small Entity:

- **\$65** Surcharge.
- Total additional claim fee(s) for this application is **\$ 50**
 - **\$50** for 2 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/581,052	PCT/FR04/03039	71247-0059

Applicant: Francis VOCANSON et al. Docket No.: 71247-0059
U.S. Application No.: NEW APPLICATION Filing Date: 05/30/2006
Title: NOVEL HYBRID PROBES WITH HEIGHTENED LUMINESCENCE (as amended)

PAPERS BEING FILED: IAP7 Rec'd PCT/PTO 30 MAY 2006

1. Transmittal to the DO/EO/US (Small Entity)
2. Publication of PCT/FR2004/003039
3. English Translation – 27 pages
4. Preliminary Amendment
5. Claims – 22 (2 ind.)
6. Drawings – 4 sheets
7. Declaration and Power of Attorney – unexecuted
8. Check #5593 / \$500.00
9. Return Postcard

10/581052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TODAY'S DATE: May 30, 2006

Atty: CJC/tb

No.: 71247-0059
ate: 05/30/2006
LUMINESCENCE (as

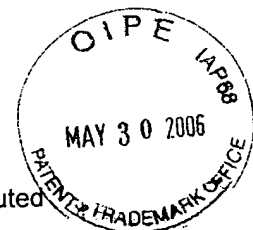
ENTERED
PCLAW

DOCKETED

amended)

PAPERS BEING FILED:

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2. Publication of PCT/FR2004/003039
3. English Translation – 27 pages
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CLARK & BRODY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DATE : May 30/2006
CHE # : 5593
AMOUNT: \$500.00

TODAY'S DATE: May 30, 2006

Atty: CJC/tb

PAID TO: Commissioner of Patents & Trademarks

Nat'l Ph Entry of PCT/FR2004/003039 / 71247-0059

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

DATE: **May 30, 2006**

U.S. APPLN. NO.
(IF KNOWN, SEE 37 C.F.R. 1.5)
Not yet assigned

INTERNATIONAL APPLICATION NO.
PCT/FR2004/003039

INTERNATIONAL FILING DATE
November 26, 2004

PRIORITY DATE CLAIMED
November 28, 2003

TITLE OF INVENTION: **NOVEL HYBRID PROBES WITH HEIGHTENED LUMINESCENCE (AS AMENDED)**

APPLICANT(S) FOR DO/EO/US: **Francis VOCANSON, Roger LAMARTINE, Pierre-Jean DEBOUTTIERE, Christophe MARQUETTE, Loic BLUM, Stephane ROUX, Olivier TILLEMENT and Pascal PERRIAT**

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 - b. ☐ has been transmitted by the International Bureau.
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 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]. UNEXECUTED
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 20 below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
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☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter. UNEXECUTED
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **4 SHEETS DRAWINGS W/ ENGLISH TRANSLATION**

U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) Not yet assigned		INTERNATIONAL APPLICATION NO. PCT/FR2004/003039		ATTORNEY DOCKET NO. 71247-0059 DATE: May 30, 2006	
<input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
<input checked="" type="checkbox"/> 21.) Basic National Fee \$300				\$ 300	
<input checked="" type="checkbox"/> 22.) Examination Fee - If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200				\$ 200	
<input checked="" type="checkbox"/> 23.) Search Fee - If Search Fee (37 CFR 1.445(a)(2)) has been paid in the International Application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office. \$400 All other situations \$500				\$ 400	
TOTAL OF 21, 22 and 23 =				\$ 900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$ 0	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
34-100	0/50=		x \$250	\$ 0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(h)].				\$ 0	
Claims	Number Filed	Number Extra	Rate		
Total Claims	22 - 20 =	2	X \$50.00	\$ 100	
Independent Claims	2 - 3 =	0	X \$200.00	\$ 0	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$ 0	
TOTAL OF ABOVE CALCULATIONS =				\$ 1000	
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2				\$ 500	
SUBTOTAL =				\$ 500	
Processing fee of \$130.00 for furnishing the English translation later the 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)].				\$ 0	
TOTAL NATIONAL FEE =				\$ 500	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				\$ 0	
TOTAL FEES ENCLOSED =				\$ 500	
				Amount to be refunded	\$
				Charged	\$

a. ☒ A check in the amount of \$500.00 to cover the above fees is enclosed.

b. ☐ Please charge Counsel's Deposit Account No. 50-1088 in the amount of \$_____ to cover the above fee. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Counsel's Deposit Account No. 50-1088.

d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

CLARK & BRODY
 1090 Vermont Avenue, N.W.
 Suite 250
 Washington, D.C. 20005
 Telephone: 202-835-1111
 Fax: 202-835-1755

Customer Number: 22902

COPY

Conrad J. Clark
 Registration No. 30,340
 Date: May 30, 2006